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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/753,585	01/02/2001	Shigefumi Odaohara	JP919990174US1	1875
7590	01/15/2004		EXAMINER:	PHAN, RAYMOND NGAN
BRACEWELL & PATERSON LLP INTELLECTUAL PROPERTY LAW P.O. BOX 969 AUSTIN, TX 78767-0969			ART UNIT	PAPER NUMBER
2111 10				
DATE MAILED: 01/15/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/753,585	ODAOHHARA, SHIGEFUMI	
	<b>Examiner</b>	<b>Art Unit</b>	
	Raymond Phan	2111	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 30 October 2003.

2a) This action is FINAL.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-7 and 13-26 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-7 and 13-26 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>8</u>	6) <input type="checkbox"/> Other: _____

### **Part III DETAILED ACTION**

#### ***Notice to Applicant(s)***

1. This action is responsive to the following communications: amendment filed on October 30, 2003.
2. This application has been examined. Claims 1-7 and 13-26 are pending.
3. The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2111.

#### ***Specification***

4. The title of the invention is accepted.

#### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-7 and 13-26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Townsley et al. (US No. 6,202,171) in view of Odaohara (US No. 5,784,626).

In regard to claims 1, 13, 20, Townsley et al. disclose a power source switching unit for supplying electric power to computer loads by an external power source and a plurality of batteries, comprising an external power circuit to supply

electric power from the external power source to the computer loads (see col. 7, lines 6-58); a detector to detect loss of electric power supplied from the external power circuit (see col. 6, lines 36-47); a plurality of battery power supply circuits to supply electric power from the plurality of batteries to the computer loads (see col. 5, lines 35-50); a charging device to charge at least one of the plurality of batteries with electric power supplied from the external power circuit (see col. 6, lines 10-35); a switching device to switch the battery power supply circuit to supply electric power from at least one of the plurality of battery power supply circuits to the computer loads within a predetermined time in response to the detector, while the charging device is charging the at least one of the plurality of batteries and also supplying electric power from the external power source to the computer loads (see col. 6, lines 10-57); and temporary power supply device to supply electric power to the computer load only for at least the predetermined time in response to the detector (see col. 6, lines 10-49). But Townsley et al. do not specifically disclose the detector directly coupled to the power output of the external power receiving unit, to measure the voltage supplied the external power receiving unit. However Odaohara disclose the circuit 38 (i.e. detector) directly coupled to the power output of the external power receiving unit 36, to measure the voltage supplied the external power receiving unit (see figure 2, col. 4, lines 9-23). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Odaohara into the teachings of Townsley et al. because it would extend the battery operational period.

In regard to claim 2, 5, 18, 25, Townsley et al. disclose the plurality of switches connected to the plurality of batter power circuits wherein the electrical

power is supplied to computer loads by switching on the switch when a battery corresponding to the battery power supply circuit is charging (see col. 7, line 59 through col. 8, line 20)

In regard to claims 3-4, 6-7, Townsley et al. disclose the plurality of switches connected to the plurality of batter power circuits wherein electric power is supplied to the computer loads when electric power is supplied from the corresponding battery to the computer loads (see col. 7, line 59 through col. 8, line 20).

In regard to claims 14 and 21, even though the teachings of Townsley et al. or Odaohara do not specifically disclose the capacitor coupled to the power output and the computer load, however one skilled in the art would have understood that they can choose to have capacitor to prevent power loss during power switch.

In regard to claims 15, 22, Townsley et al. disclose the step of removably coupling the external power receiving unit to the computer load (see figure 3, col. 7, lines 6-58).

In regard to claims 16, 23, Townsley et al. disclose the rechargeable batteries coupled to the power output to the power output and the computer load supplying electrical power to the computer load (see figure 3, col. 7, lines 6-58).

In regard to claims 17, 24, Townsley et al. disclose the external power receiving unit alternating the current electric power and discharging direct current electric power through the power output (see figure 3, col. 7, lines 6-58).

In regard to claims 19, 26, Townsley et al. disclose the voltage regulator to converting the voltage (see figure 3, col. 7, lines 6-58).

***Conclusion***

8. Claims 1-7 and 13-26 are rejected.
9. The prior arts made of record and not relied upon are considered pertinent to applicant's disclosure.

**Nanno et al. (US No. 5,553,294)** disclose a portable computer powered by rechargeable batteries.

**Fisher et al. (US No. 6,463,545)** disclose a battery calibration system for discharging a rechargeable battery and generating an AC detect signal to power management logic to maintain normal computer operation even when battery is below certain level.

**Hall et al. (US No. 6,629,247)** disclose methods, systems, and computer program products for communications in uninterruptible power supply system using controller area networks.

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for response to this final action is set to expire THREE MONTHS from the date of this action. In the event a first response is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for response expire later than SIX MONTHS from the date of this final action.

Art Unit: 2111

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Raymond Phan, whose telephone number is (703) 306-2756. The examiner can normally be reached on Monday-Friday from 6:30AM- 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Primary, Paul Myers can be reached on (703) 305-9656 or via e-mail addressed to paul.myers@uspto.gov. The fax phone number for this Group is (703) 746-7239.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [raymond.phan@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

RR

*Raymond Phan*

1/7/04

*Paul R. Myers*  
PAUL R. MYERS  
PRIMARY EXAMINER